

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Telecommunications Relay Services)	
And Speech-to-Speech Services for)	CC Docket No. 98-67
Individuals with Hearing and Speech)	
Disabilities)	
_____)	

PETITION FOR DECLARATORY RULING

Sprint Corporation ("Sprint"), on behalf of the Telecommunications Relay Service ("TRS") operations of its subsidiary Sprint Communications Company LP ("Sprint Relay") and pursuant to Section 1.2 of the Commission's Rules, 47 C.F.R. §1.2, hereby respectfully requests that the Commission declare that Sprint's provision of 900 pay-per-call services to end users who access Sprint's relay centers by dialing 711 fully satisfies the requirement that such services be offered by relay providers. As set forth below, a declaratory ruling in this regard is necessary to "remove uncertainty."

During an March 13, 2003 *ex parte* meeting with staff members of the Consumer and Governmental Affairs Bureau, Sprint was asked why individuals who access its TRS centers using 711 could not then have the Communications Assistant (CA) dial a 900 number. The staff reminded Sprint that Commission previously had found that the provision of pay-per-call services through TRS is technically feasible and a required component of functional equivalency. *Improved TRS Order*, 15 FCC Rcd 5140, 5181 (¶98) (2000).

Sprint explained that when a person dials the access code 711, the number is converted to the toll-free number assigned to the TRS center of the State from which the end user is calling.

For example, the 711 voice call by an end user in North Carolina would be converted to 1-800-735-8262 and would then be routed by the local carrier to Sprint's TRS center handling North Carolina calls. Given the Commission's recognition that "[p]ay-per-call services cannot be accessed using a toll-free dialing sequence, such as a 1-800 number," *id.* at 5181 (fn. 200), a person using 711 to access a Sprint relay center cannot, therefore, place a 900 call. Instead, Sprint CAs instruct callers wishing to avail themselves of pay-per-call services to dial a special 900 number (which is provided without charge) in order to use TRS to place the 900 call.¹ In this way, Sprint Relay is able to ensure that there is no pay-per-call block on the line being used by such user. *See* 47 CFR §64.1508.

Sprint Relay believes that its provision of pay-per-call services to customers who access Sprint's TRS centers either by dialing a toll-free number or the 711 code satisfies the requirement that TRS providers offer such services. Indeed, it may be the only way to harmonize the availability of pay-per-call services through TRS with the Commission requirement that subscribers be given the ability to block access to pay-per-call services from their lines. Nonetheless, given the discussion at the March 13 *ex parte* meeting, there appears to be some uncertainty as to whether the way Sprint Relay provides pay-per-call services to end users who dial a toll-free number or the 711 code to reach Sprint's relay centers complies with the pay-per-call requirement. Thus, a declaratory ruling is necessary to remove this uncertainty.

¹ End users wishing to make 900 calls who access a Sprint's TRS center by using a toll-free number rather than 711, are given the same instructions.

Accordingly, Sprint respectfully requests that the Commission issue a declaratory ruling as set forth above.

Respectfully submitted,

SPRINT CORPORATION

A handwritten signature in black ink, appearing to read "MBF", is written over a horizontal line.

Michael B. Fingerhut

Richard Juhnke

401 9th Street NW, Suite 400

Washington, D.C. 20004

(202) 585-1909

Its Attorneys

May 27, 2003

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **PETITION FOR DECLARATORY RULING** of Sprint Corporation was sent by electronic mail on this the 27th day of May 2003, to the parties on the attached list.


Christine Jackson

May 27, 2003

Ms. Pam Gregory
Office of General Counsel
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Ms. Margaret Egler
Consumer and Governmental Affairs Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Mr. Tom Chandler
Office of General Counsel
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Ms. Cheryl King
Enforcement Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Mr. Greg Hlibok
Consumer and Governmental Affairs bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Ms. Erica Myers
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Ms. Janet Sievert
Consumer and Governmental Affairs Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554